



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

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MAILED

JAN 24 2006

PAT. & TM. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Applicants: Guthrie et al.
Application No.: 09/818,092
Filed: 03/26/01
For: High intensity light source

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,393.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/ss/ Sally C. Medley
Administrative Patent Judge

INTERFERENCE DIGEST

Interference No. 105,393

Paper No.

Name: Charles Guthrie et al.

Serial No.: 09/818,092

Patent No.

Title: High intensity light source

Filed: 03/26/01

Interference with Espiau et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.

Mail Stop Interference
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Paper 1

Filed 24 January 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CHARLES GUTHRIE, EDMUND SANDBERG,
DONALD WILSON, GREGORY PRIOR, and DAVID SMOLER
Junior Party
(Application 09/818,092),

MAILED

JAN 24 2006

v.

FREDERICK M. ESPIAU, CHANDRASHEKHAR J. JOSHI,
and YIAN CHANG
Senior Party
(Patent 6,737,809).

PAT & TM OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Patent Interference No. 105,393 (SCM)
(Technology Center 2800)

DECLARATION - Bd.R. 203(d)¹

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3 parties. Details of the application(s), patent (if any), reissue application (if any),
4 count(s) and claims designated as corresponding or as not corresponding to the
5 count(s) appear in Parts E and F of this DECLARATION.

6 **Part B. Judge managing the interference**

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 Administrative Patent Judge Sally Medley has been designated to manage the
2 interference. Bd. R. 104(a).

3 **Part C. Standing order**

4 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
5 DECLARATION. The STANDING ORDER applies to this interference.

6 **Part D. Initial conference call**

7 A telephone conference call to discuss the interference is set for **2:00 p.m. on**
8 **21 March 2006** (the Board will initiate the call).

9 No later than **four business days** prior to the conference call, each party shall
10 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
11 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

12 A sample schedule for taking action during the motion phase appears as Form 2
13 in the STANDING ORDER². Counsel are encouraged to discuss the schedule prior to
14 the conference call and to agree on dates for taking action. A typical motion period
15 lasts approximately eight (8) months. Counsel should be prepared to justify any
16 request for a shorter or longer period.

17 **Part E. Identification and order of the parties**

18 Junior Party

| | | |
|----|------------------|--|
| 19 | Named inventors: | CHARLES GUTHRIE, San Jose, California |
| 20 | | EDMUND SANDBERG, Mote Sereno, California |
| 21 | | DONALD WILSON, San Jose, California |
| 22 | | GREGORY PRIOR, San Jose, California |
| 23 | | DAVID SMOLER, Morgan Hill, California |
| 24 | | |

² Default times for time periods 1-10 are attached.

1 Involved Application: 09/818,092, filed 26 March 2001

2
3 Title: High intensity light source

4
5 Assignee: Ceravision Limited

6 Senior Party

7 Named Inventors: FREDERICK M. ESPIAU, Topanga, California
8 CHANDRASHEKHAR J. JOSHI, Santa Monica,
9 California
10 YIAN CHANG, Los Angeles, California

11
12
13 Involved Patent: 6,737,809, granted 18 May 2004, based on
14 application 09/809,718, filed 15 March 2001

15
16 Title: Plasma lamp with dielectric waveguide

17
18 Assignee: Luxim Corporation

19 The senior party is assigned exhibit numbers 1001-1999. The junior party is
20 assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party
21 is responsible for initiating settlement discussions. SO ¶ 126.1.

22 **Part F. Count and claims of the parties**

23 Count 1

24 Claim 109 of Guthrie 09/818,092 application

25 or

26 Claim 1 of Espiau 6,737,809 patent

27 or

28 Claim 129 of Guthrie 09/818,092 application

29 or

30 Claim 32 of Espiau 6,737,809 patent

1 The claims of the parties are:

2 Guthrie: 109-131

3 Espiau: 1-35

4 The claims of the parties which correspond to Count 1 are:

5 Guthrie: 109-131

6 Espiau: 1-35

7 The claims of the parties which do not correspond to Count 1, and therefore are
8 not involved in the interference, are:

9 Guthrie: none

10 Espiau: none

11 The parties are accorded the following benefit for Count 1:

12 Guthrie: 60/224,059, filed 9 August 2000
13 60/224,298, filed 10 August 2000
14 60/224,290, filed 10 August 2000
15 60/224,291, filed 10 August 2000
16 60/224,257, filed 10 August 2000
17 60/224,289, filed 10 August 2000
18 60/224,866, filed 11 August 2000
19 60/234,415, filed 21 September 2000

20
21 Espiau: 60/222,028, filed 31 July 2000
22

23 **Part G. Heading to be used on papers**

24 The following heading must be used on all papers filed in this interference, see

25 SO ¶ 106.1.1:
26

1 UNITED STATES PATENT AND TRADEMARK OFFICE

2
3
4 BEFORE THE BOARD OF PATENT APPEALS
5 AND INTERFERENCES
6

7 CHARLES GUTHRIE, EDMUND SANDBERG,
8 DONALD WILSON, GREGORY PRIOR, and DAVID SMOLER
9 Junior Party
10 (Application 09/818,092),
11

12 v.
13

14 FREDERICK M. ESPIAU, CHANDRASHEKHAR J. JOSHI,
15 and YIAN CHANG
16 Senior Party
17 (Patent 6,737,809).
18

19 Patent Interference No. 105,393 (SCM)
20
21

22
23 **Part H. Order form for requesting file copies**

24 When requesting copies of files, use of SO Form 4 will greatly expedite
25 processing of the request. Please attach a copy of Parts E and F of this
26 DECLARATION with a hand-drawn circle around the patents and applications for which
27 a copy of a file wrapper is requested.

/Sally C. Medley/
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Copy U.S. Patent 6,737,809
Copy of claims of 09/818,092

Revised 3 January 2006

cc (via overnight delivery):

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